

## **AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

### **LISTING OF CLAIMS:**

1. (currently amended): A network status reporting method for reporting in a communications network a network status information to a data source with an adaptive transmission rate in order to enable said data source to adapt said transmission rate based on said network status information, said communications network further comprising at least one intermediate network node, and a data sink, wherein only said data sink reports to said data source on said network status information of said communications network in a neighbourhood around the data sink, wherein said report of the data sink is forwarded via the at least one intermediate network node, wherein no intermediate network node reports to said data source on ~~said a~~ network status information of said communications network in a neighbourhood around the at least one intermediate network node, wherein said communications network is a heterogeneous network comprising at least two different networks at least one of which comprises the data sink and at least one intermediate node from the at least one intermediate network node and is not configured to perform available bit rate control technique, and wherein the data sink initiates said reporting of the network status information of said communications network in the neighbourhood around the data sink to said data source without a request from said data source.

2. (currently amended): A communications network comprising:  
at least one data source with an adaptive transmission rate;

at least one intermediate node; and

at least one data sink,

wherein said data source adapts said transmission rate on the basis of network status information, and wherein only said data sink is able to report said network status information of said communications network in a neighbourhood of the data sink to said data source, the report of the data sink is forwarded to said data source via the at least one intermediate node and no intermediate node is able to report a network status information of said communications network in a neighbourhood around the at least one intermediate node to said data source,

wherein said communications network is a heterogeneous network comprising at least two different networks,

wherein at least one of said at least two different networks comprise-comprises the data sink and at least one intermediate node from the at least one intermediate network node and is not configured to perform available bit rate control technique, a packet network and a frame relay network, and

wherein the data sink initiates said reporting of the network status information of said communications network in the neighbourhood of the data sink to said data source without a request from said data source.

3. (previously presented): Communications network according to claim 2, wherein said data sink is a line termination in an access network of said communications network.

4. (previously presented): Communications network according to claim 2, wherein said data sink is a network termination in an access network of said communications network.

5. (currently amended): Communications network according to claim 3, wherein said network status information of said communications network in the neighbourhood around the data sink is a capacity of a link between a network termination and ~~a~~ said line termination in said access network of said communications network.

6. (previously presented): The data source being used in the communications network according to claim 2.

7. (previously presented): The data sink being used in the communications network according to claim 2.

8. (canceled).

9. (currently amended): Data sink according to claim 7, wherein said data sink is configured to regularly report to said data source on said network status information of said communications network in the neighbourhood of the data sink.

10. (previously presented): A communications system comprising:  
a data source with an adaptive transmission rate;  
a line termination element;  
a network termination element connected to the line termination element via a first network; and

at least one intermediate node connecting the data source to the line termination element via a second network;

wherein the data source adapts the transmission rate on the basis of a network status reported by at least one of the line termination element and the network termination element,

wherein the network status is determined based on a quality of signal of the first network only, and

wherein the first network comprises a digital subscriber line and the second network comprises a frame relay network.

11. (previously presented): The communications system according to claim 10, wherein the first network is of a different type than the second network, and comprise a heterogeneous network system.

12. (previously presented): The communications system according to claim 10, wherein the line termination element and the network termination element negotiate a transmission rate for the first network, and wherein one of the line termination element and the network termination element reports the network status only when the transmission rate in the first network is changed.

13. (previously presented): The communication system according to claim 12, wherein the network termination element detects an influence of environmental conditions on the transmission rate of the first network and, based on the detected influence, the network termination element and the line termination element re-negotiate the transmission rate.

14. (previously presented): The communication system according to claim 10, wherein the network termination element comprises a modem and the line termination element comprises a multiplexer.

15. (currently amended): A network status reporting method comprising:  
a data sink reporting to a data source status information of a first communication network connected to the data sink;  
at least one intermediate network node transmitting said report in a second communication network connected to the data source; and  
said data source adjusting transmission rate based on said received report,  
wherein only said data sink reports to said data source on said status information of said first ~~communications~~ communication network, and none of said at least one intermediate network node report to said data source on ~~said a~~ network status of said second ~~communications~~ communication network near said at least one intermediate network node, and  
wherein the second communication network is a frame relay network.

16. (currently amended): The communication network according to claim 2, wherein:  
the network status information of said communications network in the neighbourhood of the data sink is information about the status of a network segment around the data sink,  
the network status information of said communications network in the neighbourhood of the data sink comprises a report about at least one of: congestion, radio-frequency interference, and weather condition in the network segment around the data sink, and

the report is communicated to the data source.

17. (previously presented): The communication system according to claim 10, wherein the line termination element is a data sink.

18. (currently amended): The network status reporting method ~~communication system~~ according to claim 15, wherein the data sink is connected to a modem via the first communication network and wherein said modem is connected to the data source via the at least one intermediate network node of the second communication network.

19. (currently amended): The network status reporting method ~~communication system~~ according to claim 18, wherein the second communication network is internet and wherein the first communication network is public switch telephone network.

20. (currently amended): The network status reporting method ~~communication system~~ according to claim 15, wherein the data sink is connected to a network termination element via the first communication network and wherein said network termination element is connected to the data source via the at least one intermediate network node of the second communication network.

21. (currently amended): A network status reporting method comprising:  
a data sink reporting to a data source status information of a first communication network connected to the data sink;

at least one intermediate network node transmitting said report in a second communication network connected to the data source; and

said data source adjusting transmission rate based on said received report,

wherein only said data sink reports to said data source on said status information of said first ~~communications~~ communication network, and none of said at least one intermediate network node report to said data source on ~~said a~~ network status of said second ~~communications~~ communication network near said at least one intermediate network node,

wherein the data sink reports to the data source the status information of the first communication network connected to the data sink only when a change in status of the first communication network occurs, and

wherein at least one of the first communication network and the second communication network cannot perform available bit rate control technique.

22. (canceled).

23. (currently amended): The network status reporting method according to claim 1, wherein one of the at least two different networks form the neighborhood around the data sink and wherein the neighborhood around the data sink is a different type of network from a network formed by the at least one intermediate network node.

24. (previously presented): The network status reporting method according to claim 1, wherein the data sink is connected to a network termination element via a first communication network and wherein said network termination element is connected to the data source via the at

least one intermediate network node of a second communication network, and wherein the first communication network is a different type of network from the second communication network.

25. (canceled).

26. (currently amended): A communications network comprising:

at least one data source with an adaptive transmission rate;

at least one intermediate node; and

at least one data sink,

wherein said data source adapts said transmission rate on the basis of a network status information, and wherein only said data sink is able to report said network status information of said communications network in a neighbourhood of the data sink to said data source and no intermediate node is able to report a network status information of the communication network in a neighbourhood around the at least one intermediate node to said data source,

wherein said communications network is a heterogeneous network comprising at least two different networks, and

wherein said neighborhood around the data sink comprises a frame relay network and the at least one intermediate node forms part of a packet network.

27. (previously presented): The communications network according to claim 2, wherein the data sink is connected to a network termination element via a first communication network and wherein said network termination element is connected to the data source via the at least one



intermediate network node of a second communication network, and wherein the first communication network is a different type of network from the second communication network.